

REMARKS

Above, claims 1, 6, 12 and 16 are amended, claims 2-5, 8, 9, 11, 13 and 14 are canceled and claims 17-25 are added. Thus, claims 1, 6, 7, 10, 12 and 15-25 are now pending in this application. Those claims should be allowed for at least the reasons discussed below.

As background, in the referenced Office Action, claims 4, 5 and 13 are indicated as being allowable if rewritten in independent form; claims 1-3, 6, 8, 10-12, 14 and 15 are rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,048,242 (the "242 patent"); and claims 7, 9 and 16 are rejected under 35 U.S.C. §103 as being obvious because of the 242 patent.

Claim 1 is amended above to include the recitation of claim 5, which combination, as stated, the Examiner advised would be allowed. Thus, claim 1 should be allowed. Similarly, claim 12 is amended to include the recitation of claim 13, which combination, as stated, the Examiner advised would be allowed. Thus, claim 12 should be allowed. Claims 6, 7 and 10 depend from claim 1, and claims 15 and 16 depend from claim 12. Thus, those claims should be allowed for at least the same reasons that claims 1 and 12 should be allowed.

Turning to the new claims, the 242 patent does not disclose, teach or suggest the combination of elements of claim 17. First, the 242 patent does not disclose, teach or suggest an access floor panel having a metal frame "wherein the metal frame has a peripheral edge that includes a flange portion spaced outwardly from a rib portion." Further, the 242 patent does not disclose, teach or suggest an access floor panel having at least one gasket "extending around the periphery of said panel and comprises a first portion ... located between the flange portion and the rib portion [of a peripheral edge of a metal frame] and a flexible and resilient sealing portion that extends downwardly from the first portion beyond the flange portion." Thus, claim 17 is patentable over the prior art.

New claim 18 depends from claim 17 and is patentable for the same reasons claim 17 is patentable. Additionally, claim 18 is also patentable because the 242 patent does not disclose, teach or suggest an access floor panel having a metal frame with a peripheral edge that includes a flange portion spaced outwardly from a rib portion, "wherein the flange portion and the rib portion each have a substantially vertical portion in use and form a channel therebetween," let alone "that said first portion of said at least one gasket being located in said channel." Claim 19 also depends from claim 17 and is thus also patentable for the same reasons claim 17 is patentable. Additionally, claim 19 is also patentable because the 242 patent does not disclose, teach or suggest an access floor panel having a metal frame with a peripheral edge that includes the recited rib portion, wherein "the first portion [of the at least one gasket] forcibly engages the rib portion." Claim 20 depends from claim 18 and is thus patentable for the same reasons claims 17 and 18 are patentable. Additionally, claim 20 is also patentable because the 242 patent does not disclose, teach or suggest the recited access floor panel wherein "the first portion forcibly engages a top edge of the rib portion." In the access floor panels disclosed by the 242 patent, the trim pieces 16 engage a side edge of the access floor panels, and not the top edge of a rib portion.

New claim 21 is patentable because the 242 patent does not disclose, teach or suggest an access floor panel having a metal frame and at least one gasket, "wherein the metal frame has a peripheral edge that includes a rib portion, and wherein said at least one gasket comprises a first portion that encompasses and forcibly engages a portion of the peripheral edge and a flexible and resilient sealing portion that extends downwardly from the first portion outside of the rib portion." In the 242 patent, the trim pieces 16, even if they are considered to be gaskets, which they are not, do not have a first portion that encompasses a portion of the peripheral edge and a flexible and resilient sealing portion extending downward from the first portion outside of the rib portion. Claims 22 and 23 depend from claim 21 and

are thus patentable for the same reasons claim 21 is patentable. Additionally, claim 22 is also patentable for the same reasons that claim 19 is patentable and claim 23 is also patentable for the same reasons that claim 20 is patentable.

New claim 24 is patentable because the 242 patent does not disclose, teach or suggest "an access floor comprising a metal frame and at least one gasket," "said metal frame having a peripheral edge with a substantially vertical rib portion," and "at least one gasket engaging the vertical rib portion and extending downwardly therefrom on the outside of the peripheral edge." Claim 25 depends from claim 24 and is thus patentable for the same reasons claim 24 is patentable. Additionally, claim 25 is also patentable for the same reasons that claim 20 is patentable.

In view of the above, it is respectfully submitted that this application is in condition for allowance.

Respectfully submitted,



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